



ECONOMIC and COMMUNITY DEVELOPMENT

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KENT PLANNING SERVICES

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STAFF REPORT FOR HEARING EXAMINER MEETING OF SEPTEMBER 3, 2014

FILE NO: LEBER HOMESTEAD PROPERTY SUBDIVISION
SU-2014-1 KIVA #RPP3-2140208

APPLICANT: JB Ruth
WE Ruth Real Estate
19400 108th Avenue SE, Suite 200
Kent, WA 98031

AGENT: Ivana Halvorsen
Barghausen Engineers
18215 72nd Ave S
Kent, WA 98032

OWNER: Leber Homestead LLC
18602 Marine View Drive SW
Normandy Park, WA 98166

REQUEST: A request to subdivide a 4.09 acre site into 21
single family lots.

**STAFF
REPRESENTATIVE:** Matt Gilbert, AICP

**STAFF
RECOMMENDATION:** APPROVAL WITH CONDITIONS

I. GENERAL INFORMATION

A. Description of the Proposal

The applicant proposes to subdivide one 4.09 acre parcel into 21 single family residential lots, a landscape tract, two private access tracts, a critical areas tract, a recreation tract and a stormwater facility. The property is currently developed with a single family residence and outbuildings, all of which will be removed. The proposed development will take access from 116th Avenue Southeast via a new public road. The buffer of an offsite wetland extends onto the north side of the property. There are no other sensitive areas on site.

B. Location

The subject property is located at 11518 SE 240th Street and is identified by King County tax parcel number 172205-9046.

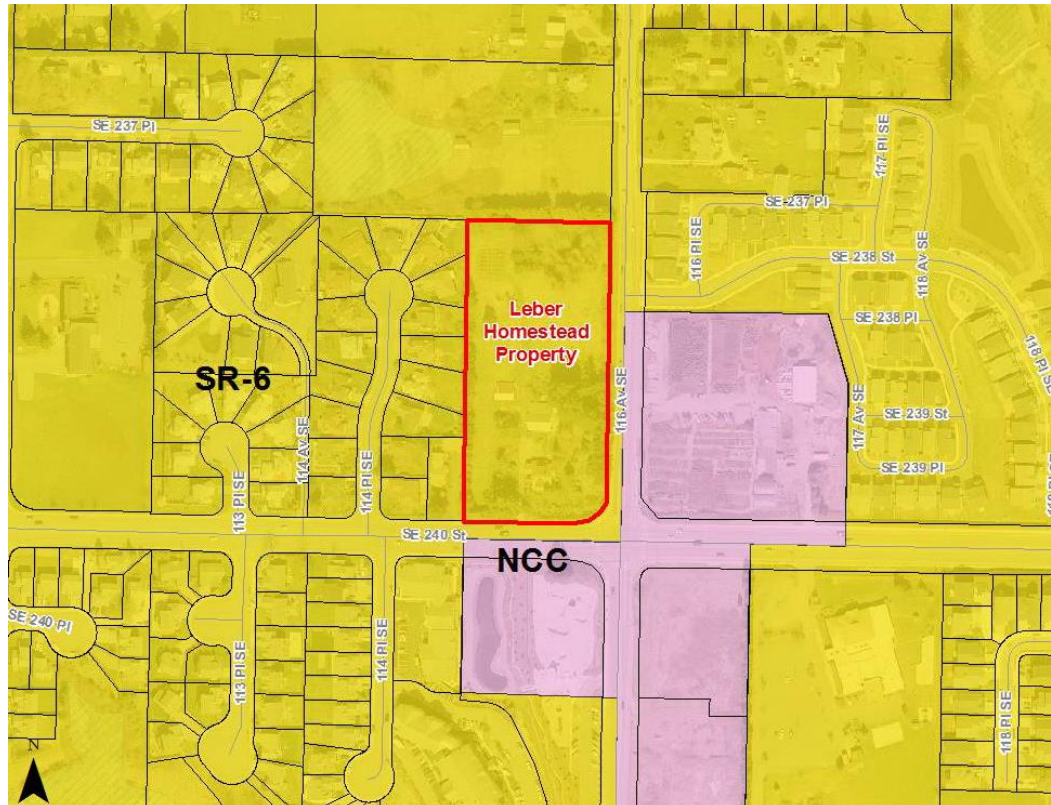


C. Size of Property

The subject site is 4.09 acres in size.

D. Zoning

The site is currently zoned SR-6, Single Family Residential. Adjacent properties to the west, north, and northeast are also zoned SR-6 and properties to the south and east are zoned NCC, Neighborhood Convenience Commercial.



E. Land Use

The City of Kent Comprehensive Plan Land Use Map designates the site as SF-6 Single Family Residential, six units per acre. Adjacent properties surrounding the site are designated SF-6 and NS, Neighborhood Services. Existing development surrounding the site is mixed, consisting of platted single family residential, large unplatted residential lots, vacant commercial land, a retirement home, and a City skate park. The site contains an existing home and outbuildings which will be removed.

F. History

The subject property was annexed to the City of Kent in 1968 as part of the Sunray annexation (Ordinance No. 1536).

This preliminary plat application (SU-2014-1, KIVA #2140208) was received by the City of Kent on January 23, 2014. This review of the Leber Homestead Property Subdivision is based on the revised preliminary plat map received on May 22, 2014.

II. ENVIRONMENTAL CONSIDERATIONS

A. Environmental Assessment

A Mitigated Determination of Nonsignificance (#ENV-2014-4) for this subdivision was issued on August 1, 2014. A copy of this MDNS is part of the record for this plat application. As of the date of this staff report, no appeals to the decision have been filed. The appeal period ends on August 29, 2014.

B. Significant Physical Features

Topography, Wetlands and Vegetation

The site is described as gently rolling with a maximum slope of 10 percent.

Vegetation on the site consists of deciduous and evergreen trees, shrubs, grass, and a blueberry patch. Pursuant to Kent City Code Section 15.08.240, tree retention is required and will be accommodated by retaining 15.44 percent of the total diameter inches of significant trees within the site interior.

A Category IV wetland as defined by Kent City Code Section 11.06 is located approximately 30 feet offsite to the north of the subject property. The standard 50-foot buffer setback for Category IV wetlands extends onto the subject property. The wetland will be protected in accordance with Kent City Code Section 11.06, including recording a sensitive area easement for preservation of wetland function and values. A copy of the delineation is located in the Public Works Department, Engineering Division, in Wetland File No. 09-09.

The proposed development includes a reduction of the wetland buffer. The wetland buffer reduction requires buffer enhancement/restoration in accordance with Kent City Code 11.06. A final Wetland Buffer Enhancement Mitigation Plan must be approved prior to issuance of any development permits. In accordance with Kent City Code Chapter 11.06, any approved mitigation plan shall be constructed prior to issuance of a building permit.

C. Significant Social Features

1. Street System

The proposed development project will take its primary access from 116th Avenue Southeast via a new public road. The development will add an estimated 200 daily and 20 PM peak hour trips to the public street system, based on the Institute for Transportation Engineers Trip Generation Manuals for Land Use. Per City of Kent Ordinance 3992, this project will pay Traffic Impact Fees to mitigate for the increased trips.

The applicant will be required to construct frontage improvements along SE 240th St and 116th Ave SE. Both street frontages will be improved with new sidewalk, planter strip, and bicycle lane facilities.

2. Water System

All homes within the proposed plat will be connected to the public water system provided by the City of Kent. This development is located in an area of low water pressure, as noted by several pressure studies conducted by the Department of Public Works. As such, there may not be sufficient pressure to serve the lots within the development and meet the code requirement of 35 psi under peak hourly demand unless certain mitigating measures are taken at the time of construction of the building permits. As conditioned in SEPA, to address the low pressure concerns, with each lot's building permit, the Applicant is required to install a ¾" water meter, double check valve assembly (DCVA), and private booster pump for each building to mitigate for the low water pressures in the area. Alternate measures of mitigating for low water pressures may be allowed at the discretion of Public Works.

3. Sanitary Sewer System

All homes within the proposed plat will be connected to the public sanitary sewer system provided by the City of Kent.

4. Stormwater System

The applicant has provided preliminary plans for an on-site drainage facility. The developer will be required to complete a drainage analysis then develop and submit drainage plans prepared in accordance with the 2002 City of Kent Surface

Water Design Manual and the 1998 King County Surface Water Design Manual. This site is located within a Level 2 flow control area and a Resource Stream Protection water quality area, and will comply with the requirements for those specific areas.

III. CONSULTED DEPARTMENTS AND AGENCIES

The following departments and agencies were advised of these applications:

Economic Development Manager	Police Department
Public Works Department	Fire Department
Parks & Recreation Director	City Clerk
City Attorney	Kent School District
U.S. Post Master	Century Link
King Co. Wastewater Treatment	Puget Sound Energy
King Co. Environmental Health	Washington State Dept. of Ecology
King Co. Transit Division	Muckleshoot Tribe
King County Public Health	
Duwamish Tribal Services	

The Notice of Application was issued on February 7, 2014, published in the Kent Reporter and posted on the site. In addition to the above, all persons owning property which lies within 300 feet of the site were notified of the public hearing. One comment was received from Department of Ecology regarding whether a man-made pond on the subject property should be considered a wetland. The City of Kent determined in a letter dated October 30, 2009 that the man-made pond is not a wetland, and the Development Engineering Division has indicated that the determination is valid for the current proposal.

IV. PLANNING SERVICES REVIEW

A. Comprehensive Plan

The City of Kent has adopted a revised Comprehensive Plan pursuant to the Growth Management Act (Ordinance #3698 – July 2004). The goals and policies of the Comprehensive Plan represent an expression of community intentions and aspirations concerning the future of Kent and the area within the potential annexation area. The Comprehensive Plan is used by the Mayor, City Council, Land Use and Planning Board, Hearing Examiner and City departments to guide decision-making relative to development and capital facility spending.

The City of Kent Comprehensive Plan is comprised of eleven elements which contain written goals and policies as well as a land use map.

The proposed subdivision supports the following goals and policies of the Plan:

LAND USE ELEMENT

The Land Use Element of the plan contains a Land Use Plan Map, which designates the type and intensity of land uses throughout the city, as well as in the entire potential annexation area. The Land Use Plan Map designates the subject property as SF-6, Single Family Residential which allows six units per acre. In addition to the Land Use Plan Map, the Land Use Element also contains goals and policies relating to the location, density, and design of future development in the City.

Policy LU-9.1: Where appropriate, establish urban residential densities of at least four (4) units per net developable acre in order to adequately support urban densities.

Policy LU-9.4: Locate housing opportunities with a variety of densities within close proximity to employment, shopping, transit, and where possible, near human and community services.

Goal LU-10: Provide opportunities for a variety of housing types, options, and densities throughout the City and the Potential Annexation Area to meet needs of the region's changing demographics.

Policy LU-10.4: Allow single family housing on a variety of lot sizes. Locate smaller lot sizes within close proximity of the Urban Center or Activity Centers wherever possible.

Planning Services Comment:

The proposed subdivision is supported by relevant goals and policies contained within the Land Use Element of the Comprehensive Plan. The development proposed through this subdivision request seeks to establish residential lots at a density of approximately 5.14 units per acre, which is sufficient to support urban services and infrastructure. The proposed location is easily served by existing urban services and is in convenient proximity to commercial areas along SE 240th Street and Kent Kangley Road. The land use plan supports the development of close-in vacant or underdeveloped properties, which limits further urban sprawl on the edges of the planning area. Also, one of the

objectives of the comprehensive plan is to provide a wide variety of housing types and opportunities to accommodate projected population growth without converting single family lands to multifamily residential. A subdivision on underdeveloped, single family zoned land is consistent with this objective.

HOUSING ELEMENT

The primary goal of the housing element is to meet the current and future need for housing in the Kent area. The ability to obtain affordable housing is essential to a stable, healthy, and thriving community.

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| Goal H-2: | Promote the organization and enhancement of neighborhoods and provide the opportunity for comfortable and well-maintained housing for all citizens. |
| Policy H-2.3: | Provide an appropriate mix of housing styles and choices, allowing for different types of housing from neighborhood to neighborhood. |
| Policy H-2.5: | Require developments to provide their fair share of on-site and off-site improvements needed as a result of the development. |
| Goal H-5: | Increase housing opportunities through a diversity of housing types and the innovative use of residential and commercial land. |
| Policy H-5.2: | Provide a sufficient amount of land zoned for current and projected residential needs including, but not limited to, assisted housing, housing for low income households, single family housing, and small lot sizes. |
| Policy H-5.3: | Promote diversity of housing types affordable to a range of income levels and cultural/ethnic diversity. |
| Goal H-7: | Encourage flexibility and innovative site and building design for a variety of housing developments to expand home ownership. |

Planning Services Comment

The proposed subdivision is supported by relevant goals and policies contained within the Housing Element of the Comprehensive Plan. The overall density for the project as mentioned above is proposed at an acceptable level to support urban services, and supports projected population growth and the changing demographics of the City. Appropriate services, including, but not limited to, fire, police, medical services, neighborhood shopping and child care are easily accessible to neighborhood residents upon development of the subject property.

TRANSPORTATION ELEMENT:

Goal TR-1: Coordinate land use and transportation planning to meet the needs of the City and the requirements of the Growth Management Act.

Policy TR-1.6: Coordinate new commercial and residential development in Kent with transportation projects to assure that transportation facility capacity and service capacity is sufficient to accommodate the new development.

Planning Services Comment:

The Growth Management Act requires consistency between land use and transportation planning. As noted, the Land Use Plan identifies the area of this proposal as SF-6 Single Family Residential. The Public Works Department has identified improvements to the local transportation network necessary to accommodate the proposed development. These improvements will be required for this subdivision.

B. Zoning Code

All lots in the proposed subdivision are subject to the Zoning Code requirements for the SR-6, Single Family Residential, zoning district. On April 5, 2007 the City Council adopted ordinance 3830 which includes changes to residential development standards within the zoning code relating to permitted uses, landscaping, tree preservation, building setbacks, building design, as well as lot size and width.

The revised development standards require a 10-foot landscape tract and fencing to be located between the landscape strip and subdivision lots along roads that do not provide access to the proposed lots. The applicant has provided a 10-foot landscape tract along 116th Ave SE and SE 240th Street to meet the landscaping requirement. A

preliminary landscape plan has been submitted demonstrating how a portion of the landscape strip along 116th Avenue SE will be integrated in to the recreation space. KCC 15.04.245 requires fencing constructed of wood, iron, masonry, or other suitable materials approved by the planning manager to be located between the landscaping strip and the subdivision lots and be constructed of consistent materials and configuration along the length of the street frontage. However, where the 10-foot landscape tract along the 116th Avenue SE property frontage abuts the required recreation space, sight obscuring fencing between the tract and the portion of the park which abuts lots 19-21 would create an undesirable hidden corridor since fences will likely be constructed along the rear yards of lots 19-21.

Therefore, in order to facilitate visibility and safety within the recreation space, the developer will install the 10 feet of landscaping required by KCC 15.04.245 along the rear property lines of lots 19-21 and install transparent fencing along the 116th Avenue SE frontage in the front portion of the 10-foot landscape tract. Fencing will be of materials such as split rail or wrought iron (no chain link) to be reviewed and approved on the civil construction permit. The fence will be aesthetically consistent with the fencing installed in the remainder of the landscape tract. As fencing installed along the rear yards of lots 19-21 faces a public space, any fencing installed at this location will need to be shown on the civil construction permit application to be consistent in height, materials and color while providing some transparency between the lots and the recreation space.

The new standards also require that 50 percent of lots provide side setbacks with a sum total of 16 feet. The remaining 50 percent may have five foot setbacks provided that life safety measures are provided. As proposed, Lots 1, 3, 5, 7, 9, 10, 11, 15, 16, 17, and 21 provide side yard setbacks with a sum total of 16 feet. The remaining lots provide five foot side yard setbacks. The minimum lot size for new lots within the SR-6 zone is 3,000 square feet with a minimum lot width of 30 feet. All proposed lots within the subdivision meet the minimum lot size and width requirements for the SR-6 zone. The applicant has submitted a tree preservation plan indicating specific trees that will be retained. The plan demonstrates that the proposal meets the minimum 15 percent tree retention requirement by retaining 15.44 percent of the total diameter inches of significant trees within the site interior.

C. Standards for Granting a Subdivision

The purpose of the City of Kent Subdivision Code is to provide rules, regulations, requirements, standards and procedures for subdividing land in the City of Kent, ensuring that the highest feasible quality in subdivisions will be attained; that the public health, safety, general welfare, and aesthetics of the City of Kent shall be promoted and protected; that orderly growth, development, and the conservation, protection and proper use of land shall be promoted; that proper provisions for all public facilities, including connectivity, circulation, utilities, and services shall be made; that maximum advantage of site characteristics shall be taken into consideration; and that the process shall be in conformance with provisions set forth in the City of Kent Zoning Code and Kent Comprehensive Plan (KCC 12.04.015).

The procedures regulating subdivisions are established to ensure quality development which promotes orderly and efficient growth, and the conservation and proper use of land; protects the public health, safety, general welfare, and aesthetics of the city; makes adequate provisions for public facilities in conformance with provisions set forth in KCC Title 15, Zoning, Title 6, Public Works, Title 7, Utilities, and the Kent Comprehensive Plan; and complies with the provisions of this chapter and Chapter 58.17 RCW. (KCC 12.04.103).

As evidenced by the General Information in Section I. and the following responses to the criteria for approving subdivisions, the proposal is in general conformance with the Kent Subdivision Code.

Furthermore, Section 12.04.180 of the Kent Subdivision Code indicates that a subdivision shall not be approved unless the City finds that:

1. Appropriate provisions have been made for:
 - a. The public health, safety and general welfare of the community;

As proposed, the public health, safety, and general welfare of the community are protected and provided for by compliance with all relevant development regulations pertaining to this application for a subdivision. By implementation of all required development regulations, the applicant will provide a safe, orderly and beneficial development.
 - b. Protection of environmentally sensitive lands and habitat;

An environmental checklist was submitted and reviewed by the City which identified environmental impacts associated with this subdivision proposal. A Mitigated Determination of Non-Significance was issued on August 1, 2014.

A Category IV wetland as defined by Kent City Code Section 11.06 is located approximately 30 feet offsite to the north of the subject property. The standard 50-foot buffer for Category IV wetlands extends onto the subject property. The wetland will be protected in accordance with Kent City Code Section 11.06, including recording a sensitive area easement for preservation of wetland function and values. A copy of the delineation is located in the Public Works Department, Engineering Division, in Wetland File No. 09-09.

The proposed development includes a reduction of the wetland buffer. The wetland buffer reduction requires buffer enhancement/restoration in accordance with Kent City Code 11.06. A final Wetland Buffer Enhancement Mitigation Plan must be approved prior to issuance of any development permits. In accordance with Kent City Code Chapter 11.06, any approved mitigation plan shall be constructed prior to issuance of a building permit.

Kent City Code requires a 15-foot building setback line (BSBL) from the buffer edge. The plat map shows a 10-foot BSBL which the applicant will need to correct to 15 feet on the civil construction drawings and the final plat map.

c. Potable water supplies;

All homes within the proposed plat will be connected to water service provided by the City of Kent. This development is located in an area of low water pressure, as noted by several pressure studies conducted by the Department of Public Works. As such, there may not be sufficient pressure to serve the lots within the development and meet the code requirement of 35 psi under peak hourly demand unless certain mitigating measures are taken at the time of construction of the building permits. As conditioned in SEPA, to address the low pressure concerns, with each lot's building permit, the Applicant is required to install a $\frac{3}{4}$ " water meter,

double check valve assembly (DCVA), and private booster pump for each building to mitigate for the low water pressures in the area. Alternate measures of mitigating for low water pressures may be allowed at the discretion of Public Works.

d. Sanitary wastes;

All homes within the proposed plat will be connected to sanitary sewer service provided by the City of Kent.

e. Other public utilities and services, as deemed necessary;

Power and natural gas lines will be installed during plat construction. Garbage service will be established by the individual residents.

f. Stormwater facilities and conveyance systems;

The applicant has provided preliminary plans for an on-site drainage facility. The City of Kent Development Engineering division has reviewed the incremental increase in impervious area and determined the proposed stormwater system to be adequate.

The developer will be required to complete a drainage analysis then develop and submit drainage plans prepared in accordance with the 2002 City of Kent Surface Water Design Manual and the 1998 King County Surface Water Design Manual. This site is located within a Level 2 flow control area and a Resource Stream Protection water quality area, and will comply with the requirements for those specific areas.

g. Open spaces;

Provisions for open space will be made through the development of a community park within the proposed subdivision as discussed in section (h) below. Additionally, a landscape tract will be created on the east side of the development abutting 116th Avenue SE and the south side of the development abutting SE 240th Street.

h. Community parks and recreation;

The applicant is required to provide 450 square feet of on-site recreation space per lot pursuant to KCC 12.04.060. The required amount of recreation space for this 21-lot subdivision is 9,450 square feet. The applicant has provided a 12,183 square foot community park centrally located within the proposed subdivision (Tract F).

i. Neighborhood tot lots and play areas;

Provisions for these areas will be accomplished by the community park under section h. above. The community park will be improved with a tot lot in addition to at least one other recreation facility pursuant to KCC 12.04.060.

j. Schools and school grounds;

The subject property lies within the Kent School District. Pursuant to KCC 12.13.160, a school impact fee will be assessed in association with the subdivision of land. The impact fee will be assessed and collected for each individual lot at the time of building permit issuance and will be based upon the adopted impact fee at that time.

k. Transit stops;

Mass transit service is provided by King County METRO. The nearest bus stop is located directly adjacent to the property on SE 240th Street. As conditioned in this report, the applicant will also be required to install, in accordance with Metro standards, an 8'x10' pad for the bus stop on SE 240th Street adjacent to the site. The applicant is also required to provide direct pedestrian access to the bus stop.

l. Connectivity of streets, alleys, and other private and public ways for vehicular and pedestrian circulation and access in and between subdivision and neighborhoods, where feasible;

A new public residential road will connect the development to 116th Ave SE. Further connectivity to adjacent properties to the north is not feasible due to the presence of wetlands. Connecting to SE 240th Street would not meet the City's intersection spacing requirement.

- m. Connectivity of sidewalks, pedestrian pathways, traffic calming features and devices, and other features that assure safe walking conditions within and between subdivisions and neighborhoods for residents and students who walk to and from school, parks, transit stops and other neighborhood services;

Sidewalks will be constructed within the development on both sides of the new street. New sidewalks will also be constructed as part of the frontage improvements along SE 240th St and 116th Ave SE. A pedestrian access connection will be provided through Tract F to facilitate pedestrian access to the bus stop on SE 240th Street.

- n. Building lots and roadway access configured to support the construction of homes with diminished garage doors such that no less than fifty percent (50%) of the new lots will support construction of and access to a garage in the rear portion of the lot accessed via a common driveway between lots; or a side access garage; or a garage accessed via a rear alley; or a garage set back no less than 10 feet from the front façade of the home; or other design strategies which similarly diminish the prominence of the garage and are approved by the planning manager. Lots and roadways shall be configured such that at least two of these options are supported in each new development.

The subdivision has been designed to support diminished garage doors on Lots 1, 3, 5, 7, 10, 11, 15, 16, 17, 19, and 21. Lots 1, 3, 5, 7, 10, 11, 15, 16, 17, 19 are configured to support setback garages. Lot 21 is configured to support a side access garage design.

- o. In single-family residential zoning districts, landscape buffering along all frontage streets of the subdivision that do not provide the new lots with direct vehicular access;

The applicant has provided a 10-foot landscape tract along 116th Ave SE and SE 240th Street to meet the landscaping requirement. As discussed in Section B, the landscape tract along 116th Avenue SE where it would be adjacent to the park space will be located to the back of lots 19-21 to facilitate safety and visibility in the park.

2. The City has considered all other relevant facts; and determined that the proposed plat will be in conformance with all of the criteria listed above;
3. The public use and interest will be served by the platting of such subdivision and dedication.
4. The City has considered the physical characteristics of the proposed subdivision site and may deny a proposed plat because of flood, inundation, or wetland conditions; slope, or soil stability and/or capabilities. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat.

D. Consistency Analysis

The proposed subdivision is consistent with the goals and policies of the City of Kent Comprehensive Plan.

1. Type of Land Use Allowed

The development of single family home sites is a principally permitted use on land zoned SR-6, Single Family Residential.

2. Level of Development Allowed

The proposed subdivision of 4.09 acres into 21 building sites is consistent with the Comprehensive Plan designation of SF-6 Single Family/6 units per acre and with the zoning designation of SR-6.

3. Adequacy of Infrastructure

The proposed subdivision will place increased demands on existing transportation, and water and sanitary sewer systems in the general vicinity. The project will also result in an increase of impervious surface. When fully developed, the impact of 21 new homes being occupied will result in an estimated 200 daily and 20 new PM peak hour trips to the local street system, based on the Institute for Transportation Engineers Trip Generation Manuals for Land Use Code No. 210 and giving credit for the one single family residence on the site. The applicant will pay a transportation impact fee to mitigate this impact.

Existing water and sewer infrastructure is adequate to support the proposed new homes. In addition, a stormwater system development charge will be paid by the applicant at the time of civil construction permit issuance. A water system development charge and side sewer tap charge will be paid at the time of building permit issuance. This development is located in an area of low water pressure, as noted by several pressure studies conducted by the Department of Public Works. As such, there may not be sufficient pressure to serve the lots within the development and meet the code requirement of 35 psi under peak hourly demand unless certain mitigating measures are taken at the time of construction of the building permits. As conditioned in SEPA, to address the low pressure concerns, with each lot's building permit, the Applicant is required to install a $\frac{3}{4}$ " water meter, double check valve assembly (DCVA), and private booster pump for each building to mitigate for the low water pressures in the area. Alternate measures of mitigating for low water pressures may be allowed at the discretion of Public Works.

4. Characteristics of the Proposed Subdivision

The proposed subdivision, as presented, is in general conformance with the Kent City Code with respect to the required minimum lot area, minimum lot width and access to a public right-of-way.

E. Proposed Findings

Planning Services has reviewed these applications in relation to the Comprehensive Plan, zoning, land use, street system, and comments from other departments and finds that:

1. The applicant requests preliminary plat approval to subdivide 4.09 acres into 21 single family residential lots.
2. The Kent Comprehensive Plan Land Use Map designates this site SF-6, Single Family Residential, 6 units per acre maximum density.
3. The site is currently zoned SR-6, Single Family Residential. Under the SR-6 zoning, the site is subject to development

standards which include 3,000 square foot minimum lot size and 30-foot minimum lot width.

4. Land uses in the vicinity are generally single family residential, along with a retirement home uses, park, and undeveloped commercial land.
5. A Mitigated Determination of Nonsignificance (#ENV-2014-4) was issued on August 1, 2014.
6. The site has vehicular access to 116th Ave SE.
7. The subject property will receive water service from the City of Kent.
8. The subject property will receive sewer service from the City of Kent.

V. CITY STAFF RECOMMENDATION

Based on the merits of this request and the code criteria for granting a preliminary subdivision, staff recommends APPROVAL of the proposed Leber Homestead Property preliminary plat subject to the following conditions:

A. Prior to recording the plat for this subdivision:

1. The Owner/Subdivider shall pay all known Charges in Lieu of Assessments and/or Latecomer Fees, if any, prior to scheduling the Pre-Construction Conference and/or prior to recording this subdivision, whichever comes first.
2. The Owner/Subdivider shall provide Public Works with a digital subdivision map prepared with a CAD program. The digital information can be formatted in either *.DWG (AutoCad) or *.DXF (Drawing Exchange File), but **must be based upon State Plane coordinates: an assumed coordinate system is not permitted.** The State Plane Coordinates shall be on the NAD 83/91 datum and must relate to at least two City of Kent reference points within one half mile of the subdivision. In addition, the project shall be tied into at least two City of Kent NAVD 88 vertical benchmarks and two additional permanent benchmarks shall be established within the project. The locations, descriptions and elevations of these benchmarks will be reported at the time as-built drawings are submitted along with field notes sufficient to verify the required precision.

3. The Owner/Subdivider shall submit and receive City approval from the Department of Public Works for engineering drawings meeting the minimum requirements of the 2009 City of Kent Design and Construction Standards (KDCS), and shall then either construct or bond for the following:

- a. A public gravity sanitary sewer system to serve all lots. This development will be served by the City of Kent and will be constructed to City of Kent standards and specifications. The public sanitary sewer system shall be extended from the existing public sanitary sewer system and shall be sized to serve all off-site properties within the same service area; in addition, the sanitary sewer system shall be extended across the entire subdivision as needed to serve adjacent properties within the same service area, unless otherwise determined by the sanitary sewer purveyor. The septic system serving the existing home(s) within the proposed subdivision, if any, shall be abandoned in accordance with King County Health Department Regulations.
- b. A public water system meeting domestic and fire flow requirements for all lots. This development will be served by the City of Kent and will be constructed to the City of Kent standards and specifications. The public water system shall be extended and shall be sized to serve all off-site properties within the same service area; in addition, the water main extension shall be extended across the entire subdivision as needed to serve adjacent properties within the same service area, unless otherwise determined by the water purveyor. Existing wells, if any, shall be decommissioned in accordance with the requirements of the Department of Ecology.

With each lot's building permit, the Applicant shall install a $\frac{3}{4}$ " water meter, double check valve assembly (DCVA), and private booster pump for each building. Alternate measures of mitigating for low water pressures may be allowed at the discretion of Public Works.

- c. A stormwater system. The engineering plans must meet the minimum requirements of the KDCS and the 2002 City of Kent Surface Water Design Manual (KSWDM). Initial guidance is given below (See Chapter 2 of KSWDM for detailed submittal requirements):
 - i. The Engineering Plans shall include at a minimum: Site improvement plans which include all plans, details, notes

and specifications necessary to construct road, drainage, and other related improvements. The engineering plans shall include a technical information report (TIR) which contains all the technical information and analysis to develop the site improvement plans.

- ii. An erosion and sedimentation control (ESC) plan shall be included in the engineering plans. The ESC shall meet the requirements of the City of Kent Construction Standards, and the 2002 City of Kent Surface Water Design Manual. These plans must reflect the Detailed Grading Plan discussed below, and the Planning Services approved Detailed Tree Plan.
- iii. The proposed development will require Full Drainage Review per the City of Kent SWDM. The retention / detention and release standard that shall be met by the subdivision is **Level Two**. The water quality menu that will be met by the subdivision is the **Resource Stream Protection Menu**.
- iv. The plans and TIR shall show the volume of detention and water quality required compared with the volume provided by the storm water facility. The site improvement plans and technical information report shall contain drainage calculations and a drawing of the detention pond tract at an appropriate engineering scale.
- v. A downstream analysis is required for this development, and it shall include an analysis for capacity, erosion potential, and water quality. Refer to the requirements of Technical Information Reports in Section 3: "Offsite Analysis", of the 2002 City of Kent Surface Water Design Manual for the specific information required for downstream analyses.
- vi. Roof downspouts for each roofed structure (house, garage, carport, etc.) shall be diverted to a Roof Downspout Control meeting the requirements of Section 5.1 of the 1998 Surface Water Design Manual. These roof downspout controls shall include overflow pipes connected to an approved stormwater flow control facility, or a dispersion system if no formal flow control facility exists or is required.
- vii. The Owner/Subdivider shall submit Landscape Plans for within and surrounding the retention/detention facility to the City for concurrent review and approval prior to, or in conjunction with, the approval of the Engineering Plans.

These Landscape Plans shall meet the minimum requirements of the City of Kent Construction Standards, and the stormwater management landscaping requirements contained within the 1998 King County Surface Water Design Manual. *Landscape Plans are required to show adjacent Street Trees so that the City arborist can assess potential adverse stress upon all types of vegetation.*

- viii. The Owner/Subdivider shall execute Declaration of Stormwater Facility Maintenance Covenants for the private portions of the drainage system. See Reference 8-F, Declaration of Stormwater Facility Maintenance Covenant, of the 2002 City of Kent Surface Water Design Manual for information on what is contained within this document.
- d. A Detailed Grading Plan for the entire subdivision meeting the requirements of the 2009 City of Kent Design and Construction Standards, and *City of Kent Development Assistance Brochure #1-3, Excavation and Grading Permits & Grading Plans*.
- e. The Owner/Subdivider shall submit and receive approval for a Detailed Tree Plan, meeting the requirements of the Kent Zoning Code, and *City of Kent Development Assistance Brochure #3, Detailed Tree Plans*, prior to the issuance of any Construction Permits for the subdivision. Grading Plans cannot be approved without an approved Detailed Tree Plan. Detailed Tree Plans are not to be confused with required Street Tree Plans, which have an entirely different purpose.
- f. Street Improvement Plans for 116th Avenue Southeast. These Street Improvement Plans shall meet the half street requirements of the KDCS, including Standard Plan # 6-3, *Minor Arterial 5 Lane*, for a street designated as a Minor Arterial with bike lanes. Initial guidance for the necessary street improvements is given below:
 - i. Improvements to 116th Avenue Southeast shall be designed such that pavement widening is constructed to the dimensions shown on Standard Plan 6-3, including a shared bike lane, and as approved by City Staff. Per detail #6-3 the improvements on the south side shall also include combined vertical concrete curbs & gutters, pavement widening to accommodate a bike lane, a 5 feet wide planter strip and a 7 feet wide cement concrete sidewalk. The City may require a 10 feet wide sidewalk with tree wells in lieu of a 5 feet wide planter strip and 7

feet wide sidewalk, as shown on Standard Plan 6-3.

- ii. The applicant will be required to dedicate approximately 17 feet of additional ROW width along the property frontage to 116th Avenue Southeast. The amount dedicated should result in 47 feet of half-street ROW width, measured from the approved road centerline.
 - iii. A City-owned street lighting system. Design of the City-Owned street light system shall be provided by the applicant per current City standards.
 - iv. All overhead electrical and/or communication utilities shall be placed underground along 116th Avenue Southeast per the requirements of the City of Kent Code Chapter 7.10 if the criteria for undergrounding in Chapter 7.10.030 are met.
 - v. Public stormwater conveyance, detention and treatment facilities as applicable.
 - vi. The proposed intersection of the new proposed Road A and 116th Avenue Southeast will require an approved intersection design that must demonstrate adequate entering sight distance in both directions.
 - vii. Street Trees and grass or landscaping shall be installed within the planting strips or tree wells. The Street Trees will be located per City of Kent Standards, and the species shall be selected from the City's Approved Street Tree List in appendix A of the City of Kent Design and Construction Standards.
- g. Street Improvement Plans for Southeast 240th Street. These Street Improvement Plans are based off of the half street requirements of the KDCS, including Standard Plan # 6-3, *Principal Arterial 5 Lane*, for a street designated as a Minor Arterial with bike lanes. Initial guidance for the necessary street improvements is given below:
- i. This segment shall be designed using the "Optional Frontage Improvement" shown on Standard Plan 6-3 with bicycle lane facilities (signed shared traffic lane) as shown in Standard Plan 6-31. The existing curb alignment can remain as constructed. However, the sidewalk shall be built in the ultimate location based on

Standard Plan 6-3, unless otherwise approved by Public Works. This results in a ROW centerline to front of sidewalk dimension of 37.5 feet. The planter strip will be wider than shown in the Standard Plan. Right-of-way shall be dedicated to accommodate a 46 feet wide half street ROW width. Note: the Installation of the frontage improvements on 116th Avenue SE and the corresponding 35' radius curb return to the existing curb on SE 240th Street will require the relocation of the existing signal pole at the NW corner of this intersection.

- ii. A City-owned street lighting system. Design of the City-Owned street light system shall be provided by the applicant.
 - iii. All overhead electrical and/or communication utilities shall be placed underground along Southeast 240th Street per the requirements of the City of Kent Code Chapter 7.10 if the criteria for undergrounding in Chapter 7.10.030 are met.
 - iv. The applicant shall coordinate with King County Metro to construct an 8'x10' pad for the bus shelter on SE 240th Street adjacent to the site in accordance with Metro standards.
- h. Street Improvement Plans for the new public Residential Street, Road A, connecting to 116th Avenue Southeast, shall be designed as a residential street per the CKDCS. Initial guidance for the necessary street improvements is given below:
- i. Road A shall be designed as a public residential street per standard detail #6-11 (Residential Local Street Parking One Side). This is a new road that shall be constructed to the full, above-mentioned detail. This new public road shall connect to 116th Avenue on the northwest site edge.
 - ii. A street lighting system shall be designed to the City's standards, constructed and maintained by the Intolight Division of Puget Sound Energy; all electrical and maintenance bills shall be paid for by an equally divided interest of all property owners on this plat. This interest may be in the form of a Home Owner's Association created by the subdivision.

- iii. A public stormwater drainage system, including provisions for collection, conveyance, detention and treatment facilities.
 - iv. Street trees and grass (or City-approved equal) shall be installed within the 5-foot wide planting strips constructed between the back of curb and the front of the cement concrete sidewalk. The street trees will be located per City of Kent standards and the species shall be selected from the City's approved street tree list in Appendix A of the City of Kent Design and Construction Standards.
 - v. The proposed intersection of the new proposed subdivision street and 116th Avenue South will require an approved intersection design that must demonstrate adequate entering sight distance in both directions.
4. The Owner/Subdivider shall create a Homeowner's Association for this subdivision to ensure that the property owners within this subdivision are advised of their obligation to maintain the recreation space, landscaping in the planter strips, restrict parking and pay for the energy and maintenance required for the street lighting system installed in their development. Those sections of the required document written to govern that association as they relate to any IntoLight Division of Puget Sound Energy street lighting systems, shall be reviewed and approved by the Department of Public Works, prior to recording these documents.
5. The face of the final subdivision will clearly identify all private streets, and which lots will be served by those private streets. The face of the final subdivision will also specify that the maintenance of all private streets is the sole responsibility of the property owners who are served by those private streets.
6. Direct vehicular access to and from lots having frontage along 116th Avenue Southeast or Southeast 240th Street is prohibited, and the face of the final subdivision will carry the following restriction:
- DIRECT VEHICULAR ACCESS TO AND FROM LOTS HAVING FRONTAGE ALONG 116th AVENUE SOUTHEAST OR SOUTHEAST 240TH STREET IS PROHIBITED. ACCESS FOR THESE LOTS IS RESTRICTED TO THE PROPOSED ROAD A AND/OR PRIVATE TRACT ROADS, INTERIOR TO THE SUBDIVISION.
7. The Owner/Subdivider shall deed all public rights-of-way, and

otherwise convey all private and public easements necessary for the construction and maintenance of the required improvements for this subdivision development. All legal documents must be executed on City of Kent forms and must include an electronic CAD disk based on state plane format. All offsite easements must be executed prior to construction permit issuance.

8. A Critical Areas Mitigation Plan meeting the requirements of Kent City Code Chapter 11.06. These plans shall pursue avoiding or minimizing impacts to critical areas and critical area buffers to the maximum extent possible by analyzing alternatives that would avoid the impact. If grading is a part of the final critical areas mitigation plan, all grading shall be included on the grading plan for the entire site, including buffers and appropriate building setback lines. After construction, the critical areas and their associated buffer areas shall be isolated from intrusion by installing a split-rail cedar fence around the entire buffer edge. In addition, sensitive area information signs shall be placed at the buffer edge to inform and educate owners and nearby residents about the value of sensitive areas.
9. The Owner/Subdivider shall permanently protect the approved and preserved, and/or enhanced, or created critical area(s) (Wetlands, streams and hazardous area slopes) and the associated buffer(s) by creating a separate Sensitive Area Tract and deeding the tract in fee simple to the HOA pursuant to Kent City Code Chapter 11.06. This Sensitive Area Tract shall be consistent with the wetland and/or stream map contained within the approved Critical Areas Report and/or approved Critical Areas Mitigation Plan as appropriate. The Sensitive Area Tract and the following language shall be included on the face of the recorded short plat:

SENSITIVE AREA TRACTS/EASEMENTS

DEDICATION OF A SENSITIVE AREA TRACT/EASEMENT CONVEYS TO THE PUBLIC A BENEFICIAL INTEREST IN THE LAND WITHIN THE TRACT. THIS INTEREST INCLUDES THE PRESERVATION OF NATIVE VEGETATION FOR ALL PURPOSES THAT BENEFIT THE PUBLIC HEALTH, SAFETY AND WELFARE, INCLUDING CONTROL OF SURFACE WATER AND EROSION, MAINTENANCE OF SLOPE STABILITY, VISUAL AND AURAL BUFFERING, AND PROTECTION OF WATER QUALITY, PLANT ECOLOGY AND WILDLIFE HABITAT. THE SENSITIVE AREA TRACT / EASEMENT IMPOSES UPON ALL PRESENT AND FUTURE OWNERS AND OCCUPIERS OF THE LAND SUBJECT TO THE TRACT / EASEMENT THE OBLIGATION, ENFORCEABLE ON BEHALF OF THE PUBLIC BY THE CITY OF KENT, TO LEAVE UNDISTURBED ALL TREES AND OTHER VEGETATION WITHIN THE TRACT. THE VEGETATION

WITHIN THE TRACT MAY NOT BE CUT, PRUNED, COVERED BY FILL, REMOVED OR DAMAGED WITHOUT APPROVAL IN WRITING FROM THE CITY OF KENT.

THE COMMON BOUNDARY BETWEEN THE TRACT / EASEMENT AND THE AREA OF DEVELOPMENT ACTIVITY MUST BE MARKED OR OTHERWISE FLAGGED TO THE SATISFACTION OF THE CITY OF KENT PRIOR TO ANY CLEARING, GRADING, BUILDING CONSTRUCTION OR OTHER DEVELOPMENT ACTIVITY. THE REQUIRED MARKING OR FLAGGING SHALL REMAIN IN PLACE UNTIL ALL DEVELOPMENT ACTIVITIES IN THE VICINITY OF THE SENSITIVE AREA TRACT ARE COMPLETED.

NO BUILDING FOUNDATIONS, STRUCTURES, FILL OR OBSTRUCTIONS (INCLUDING, BUT NOT LIMITED TO OUTBUILDINGS AND OVERHANGS) ARE ALLOWED WITHIN 15 FEET OF THE SENSITIVE AREA TRACT/EASEMENT BOUNDARY, UNLESS OTHERWISE APPROVED BY THE CITY.

THE CITY OF KENT RESERVES THE RIGHT TO ENHANCE THE SENSITIVE AREA TRACT OR EASEMENT VIA PLANTING NATIVE VEGETATION AND REMOVING NON-NATIVE OR INVASIVE VEGETATION.

10. The Owner/Subdivider shall submit a Stormwater Pollution Prevention Plan (SWPPP) to the City of Kent prior to issuance of Civil Construction or clearing and grading approval. The SWPPP shall meet all the requirements of the Department of Ecology National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit (CSWGP).
11. The Owner/Subdivider shall submit a copy of the NPDES permit coverage letter from DOE issuing a permit number and coverage under the Construction Stormwater General Permit. The letter shall be submitted to the City of Kent prior to issuance of civil construction or clearing and grading permits. The construction site shall meet all the requirements of the Department of Ecology National Pollutant Discharge Elimination System Construction Stormwater General Permit (CSWGP).
12. Prior to release of any construction bonds, the Department of Public Works must receive and approve As-Built Drawings meeting the requirements of the City of Kent Construction Standards, and City of Kent Development Assistance Brochure #E-1, As-Built Drawings, for: Streets; Street Lighting System; Water; Sewer; Stormwater Drainage Facilities; and all on or off-site improvements where the locations

and/or elevations are deemed critical by the Department of Public Works.

13. The applicant/owner shall install mailbox clusters at locations and per standards approved by Development Engineering and the U.S. Postmaster.
 14. The applicant/owner shall obtain the necessary permits to either remove or relocate the existing structures in accordance with Kent City Code.
 15. The applicant shall provide a pedestrian access point through Tract F to facilitate pedestrian access to the bus stop located on SE 240th Street.
 16. To facilitate visibility and safety within the recreation space, the developer shall install a 10-foot width of landscaping required by KCC 12.04.245 along the rear property lines of lots 19-21 and install transparent fencing along the 116th Avenue SE frontage generally where the recreation space abuts the public right-of-way. Fencing shall be of transparent materials such as split rail or wrought iron (no chain link) to be reviewed and approved on the civil construction permit. The fence shall be aesthetically consistent with the fencing installed in the remainder of the landscape tract. As fencing installed along the rear yards of lots 19-21 faces a public space, the applicant shall also demonstrate on the civil construction permit application how the type and style of fence at this location provides some transparency between the lots and the recreation space and is consistent with other landscape tract fencing.
 17. The Owner/Subdivider shall submit a recreation space plan for Tract F, meeting the requirements of KCC 12.04.060.
 18. The Owner/Subdivider shall submit landscape plans for Tracts A and F meeting the requirements of KCC 15.07.050 for Type II landscaping.
 19. The Owner/Subdivider shall revise the plat map to show a 15-foot building setback line from the edge of the wetland buffer.
- B. Prior to the issuance of a Building Permit on any lot in this subdivision, the Owner/Subdivider shall:
1. Record the Plat.
 2. Construct all of the improvements required in Section A, above,

and pay the respective fees-in-lieu-of including any mitigation (EMA or EMF) charges.

3. Implement and construct all critical area mitigation plans.
4. Receive approval of the required As-Built Drawings for Street, Street Lighting, Water, Sewer, and Stormwater Management Facilities as deemed appropriate by the Department of Public Works.
5. Pay all transportation impact fees, school district mitigation fees, parks fees, storm water utility connection fees, and any other mitigation fees applicable by code associated with the subject property.

KENT PLANNING SERVICES

August 27, 2014

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